

## Danner, Ward

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**From:** Huetteman, Tom  
**Sent:** Tuesday, September 02, 2014 9:43 AM  
**To:** Armann, Steve  
**Subject:** New Draft - RE: MHS Rooms 301,302,303

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**Categories:** Green Category

Jennifer,

EPA's regulatory and non-regulatory programs are primarily implemented by individual facilities that use EPA guidance and procedures. Our oversight routinely focuses on reviewing, and as necessary approving, plans that implement these guidelines and procedures, and reports prepared that describe the results. In limited cases we conduct on-site reviews while this work is being performed. Twice we have visited Malibu High School to conduct on-site reviews of the PCB work. In addition, regular communication with facilities provides an added level of oversight to evaluate their activities.

It is uncommon for EPA to review raw data as part of our oversight and we have not conducted raw data reviews for the work at the Malibu schools, nor do we possess copies of the raw data. The District did agree to provide periodic summaries of the data collected, which they posted on their web site, in advance of their final report.

The health-based screening levels for air and dust are conservative numbers, typically used to make a "no further action" decision – i.e., that no additional work is necessary at that location. When testing results are above these numbers, a school or other facility may elect to conduct additional testing, make its own evaluation based on site specific information, or elect to take other steps. In the case of the Malibu schools, the District has so far made a conservative choice to not open facilities until the testing results are below the screening levels.

To date, we have found that the District's contractor has consistently implemented our guidance and procedures to EPA's satisfaction. In addition, the level of oversight EPA has performed of the PCB work at the Malibu schools exceeds our typical level of oversight.

Again, the specific questions you ask about specific rooms are best answered by the District. I am copying the District so that they can be apprised of your questions.

Sincerely,

Tom Huetteman, Assistant Director  
RCRA Branch, Land Division, USEPA Region 9  
415-972-3751

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**From:** Jennifer DENICOLA [mailto:jd18@me.com]  
**Sent:** Thursday, August 28, 2014 8:35 AM  
**To:** Huetteman, Tom  
**Cc:** Scott, Jeff; Armann, Steve; Wilson, Patrick; Santos, Carmen; Wedell, Kelly; Jennifer deNicola  
**Subject:** Re: MHS Rooms 301,302,303

Tom,

It is your agencies oversight, since our school has violated federal law, so these questions can only be answers by the EPA.

This is information that you should have and be providing to the public when requested. We have asked for the raw data information since June 18 when environ started this project. You and your agency have given me assurances that as soon as the testing was done you will have this information and provide it.

So now I'm asking, you either have this information or you don't.

If you do not have this information, I would like to know that this information has not been provided to you by environ and that you do not have any of the raw data for PCBs testing at Malibu high school or Juan Cabrillo.

If you do not have any of this raw data and have not seen it, then your agency has relied on Environ's interpretation of data to make assurances to the public that the high school and elementary school or safe for occupancy.

Please confirm this, do you have this raw data or not?

In addition, it was under your agencies recommendation to test the air and dust only. Your agency set and approved the screening levels for these tests. So if these tests violated your screening levels, you must of been made aware of what must occur. Or was this procedure after exceeding the screening levels never discussed with the EPA?

We are asking the right agency the right questions about what was done to the two rooms that have exceeded your screening level. 303 and 506

Do not point us to an agency outside of the government to ask a question that the government should very easily know. If you do not have this information, then please specifically tell is that.

If your agency has the raw data, you are a public agency and this information needs to be shared with the public. Please provide is all the raw data you have receive. We all expect your cooperation in this matter.

One again: here is the letter with question for the EPA, if you do not have the answers please indicate that you do not know.

Please explain to me why testing would show higher amount of PCB's by just by moving orchestra risers in 303? PCB's are there in the building materials or they are not there, correct?

Please explain the detailed testing and dates that testing occurred in room 303 since the air levels were way above the EPA benchmark, the EPA must have been concerned.

In addition, at what point will the EPA require source testing? Isn't that why EPA set the benchmarks for air and wipe testing in the first place? Isn't air and wipe testing done as an indication of a PCB source issue in the entire room?

Respectfully,

Jennifer deNicola  
Malibu Unites  
[www.MalibuUnites.com](http://www.MalibuUnites.com)

On Aug 28, 2014, at 7:59 AM, "Huetteman, Tom" <[Huetteman.Tom@epa.gov](mailto:Huetteman.Tom@epa.gov)> wrote:

Jennifer,

Thank you for your inquiry about these rooms. I have also seen Kelly's email to you on Tuesday. I believe that her response is appropriate. The detailed questions you are asking are more appropriately directed to the District.

Sincerely,

Tom Huetteman, Assistant Director  
RCRA Branch, Land Division, USEPA Region 9  
415-972-3751

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**From:** Jennifer DENICOLA [<mailto:jd18@me.com>]

**Sent:** Tuesday, August 26, 2014 5:47 PM

**To:** Wedell, Kelly

**Cc:** Scott, Jeff; Blumenfeld, Jared; Huetteman, Tom; Armann, Steve; Wilson, Patrick; Santos, Carmen

**Subject:** Re: MHS Rooms 301,302,303

Kelly,

Thank you for the reply but you failed to answer any of my questions. Redirecting me to the district fails to address the questions specifically addressed to the EPA. If you don't have the answers, would one of your region 9 associates please reply. I have included them again below please address them each specifically.

Please explain to me why testing would show higher amount of PCB's by just by moving orchestra risers in 303? PCB's are there in the building materials or they are not there, correct?

Please explain the detailed testing and dates that testing occurred in room 303 since the air levels were way above the EPA benchmark, the EPA must have been concerned.

In addition, at what point will the EPA require source testing? Isn't that why EPA set the benchmarks for air and wipe testing in the first place? Isn't air and wipe testing done as an indication of a PCB source issue in the entire room?

Jennifer deNicola  
Malibu Unites  
[www.MalibuUnites.com](http://www.MalibuUnites.com)

On Aug 26, 2014, at 10:21 AM, "Wedell, Kelly" <[Wedell.Kelly@epa.gov](mailto:Wedell.Kelly@epa.gov)> wrote:

Kelly,

I have read the exchange below. Please explain to me why testing would be delayed by moving orchestra risers?

Please explain the detailed testing and dates that occurred in to room 303.

In addition, why when a classroom tests above the EPA guidelines set in. Other air and wipe tests isn't the EPA seeing this as an indication of a PCB problem in the room and requiring source testing?